

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VERONICA RODRIGUEZ, on behalf of
herself and others similarly situated,

Plaintiff,

vs.

W.W. GRAINGER, INC.; and DOES 1 to
100, inclusive,

Defendants.

Case No. 1:23-CV-00422-JLT-HBK

ORDER GRANTING STAY OF CASE
PENDING MEDIATION

(Doc. No. 8)

ORDER VACATING JUNE 22, 2023 INITIAL
SCHEDULING CONFERENCE AND
ASSOCIATED DATES

Pending before the Court is the Parties' stipulated motion seeking a stay of this action pending mediation filed on April 20, 2023. (Doc. No. 8). On March 20, 2023, Defendant removed this putative class action lawsuit to this Court. (Doc. No. 1). The Court set this case for a mandatory Initial Scheduling Conference for June 22, 2023. (Doc. No. 3). The Parties have agreed to engage in private mediation and have secured an August 24, 2023 mediation date. (Doc. No. 8 at 1). The Parties seek a limited stay of this action to allow the Parties to concentrate on preparation for mediation, minimize the expense of the discovery process, eliminate law and motion practice, maximize the odds that mediation is successful, preserve judicial resources, and promote judicial economy. (*Id.*).

The court is vested with broad discretion to stay a case. *Clinton v. Jones*, 520 U.S. 681, 705 (1997) (citing *Landis v. North American Co.*, 299 U.S. 248, 254 (1936)). The "party

1 requesting a stay bears the burden of showing that the circumstances justify an exercise of that
2 discretion.” *Nken v. Holder*, 556 U.S. 418, 433-34 (2009). As a general rule, “stays should not be
3 indefinite in nature.” *Dependable Highway Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059,
4 1066-67 (9th Cir. 2007). If a stay is especially long or indefinite, a greater showing is required to
5 justify it and the court must “balance the length of any stay against the strength of the justification
6 given for it.” *Yong v. I.N.S.*, 208 F.3d 1116, 1119 (9th Cir. 2000).

7 The Parties have met their burden to justify a stay of this action. The period of the stay is
8 relatively short and tied to period of mediation.

9 According, it is hereby **ORDERED**:

10 1. The Parties’ stipulated motion to stay this action (Doc. No. 8) is GRANTED and this
11 case is stayed until further order by the Court.

12 2. If the mediation is cancelled, the Parties shall promptly file a Notice to Lift the Stay
13 and the stay shall be automatically lifted on the date of the Notice.

14 3. The Court VACATES the mandatory Initial Scheduling Conference set for June 22,
15 2023, and all associated due dates set forth in the Order setting the Scheduling Conference (Doc.
16 No. 3).

17 4. The Court sets this case for a post-mediation telephonic Status Conference for
18 **September 28, 2023 at 1:00 PM** (1-888-204-5984; Access Code 4446176).

19
20 Dated: April 22, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE